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**Northwest Regional Human Rights Authority  
Report of Findings  
Report 20-080-9016  
DeKalb County Jail**

**Introduction**

The Human Rights Authority (HRA) opened an investigation after receiving an anonymous complaint of a potential rights violation at the DeKalb County Jail. The allegation investigated was that detainees with disabilities did not receive adequate and humane care regarding their medical and mental health needs. Substantiated findings would violate protections the County Jail Standards (20 Ill Admin Code 701).

Per the 2019 annual report on the website, the DeKalb County Jail has been in existence since June 1980 and is managed by the DeKalb County Sheriff's Department. The jail is utilized by the county and local police departments to hold detainees. The jail capacity daily average is 106 detainees, with 140 beds for both males and females. During fiscal year 2019 there were 2,410 detainees booked in the jail. The DeKalb County Sheriff's Office is a 24/7 operation throughout 650 square miles of DeKalb County. The HRA discussed and reviewed relevant policies and procedures with representatives from the DeKalb County Jail: The Chief of Corrections and a Lieutenant, as well as representatives from the DeKalb County State's Attorney Office.

**Complaint Summary**

The anonymous complaint alleged that the jail does not provide adequate medical and mental health care to detainees who are aged, disabled and who suffer with mental health issues.

**Findings**

This report focused on two components, the first component examined the jail's policies and procedures as it relates to detainee medical, mental health care and treatment towards detainees who are aged, disabled and suffer with mental health issues. The second component were interviews with jail personnel surrounding the implementation of these policies and procedures.

**Interviews**

**Chief of Corrections**

The process of admission to the jail was explained by the Chief in step-by-step detail to get a better understanding on how and what services the detainee might need while at the county

jail. The intake process for detainee is as follows: a body search is completed, personal belongings are logged, medical and suicidal screenings are completed, legal status is confirmed, a mug shot and fingerprints are taken, detainee-placed phone calls are made and their stays are determined (trial or bond posting). Each detainee receives a handbook that details the rules and regulations of the jail, as well as information to assist in their transition. According to the Chief, most detainees are housed in the general population, but if during intake, the detainee has been assessed to have a mental health diagnosis or is aged and disabled, they are housed in a separate unit. During the site visit, a question that was posed to the Chief was “ what services are offered to detainees-while in jail?” The Chief pointed out that the county jail offers haircuts, ABE (high school diploma certification), bible study, church services, group counseling, individual counseling, tele-psych visits, and medical and dental services. The same services are outlined in the detainee booklet which details how the detainee can request the services and the fees accessed to the services provided. The Chief pointed out that church services still occur, weekly counseling services are offered and there is more usage of the tele-psych services that are offered via a local agency. Due to the pandemic, the majority of the medical services are being handled in-house or on-site as to not spread COVID.

During the discussion, the Chief responded to an inquiry regarding if an detainee has a need (medical or mental) that was noted during the intake process, how it is addressed. To address the mental needs, the inmate will get an assessment with a master’s level counselor to develop a plan and if medical needs are urgent, they would be handled accordingly and if not, the necessary appointments would be scheduled. Once, the detainee has surpassed the initial intake, the process to request medical or mental needs can occur in a various way. The detainee can make a request via the intercom system in their cell, a service provider through interactions with the detainee can make a referral and an officer who sees an inmate in distress can make a referral.

There is an understanding that most detainees follow a routine schedule while on the unit, which includes set times for meals, court hearings, recreational activities, visitation, and medical and behavioral health appointments. Since the detainees have to follow the schedule, the option to refuse was presented and the Chief stated detainees can refuse medication which is documented in their files and there is no backlash or consequence attached to the refusal. The detainee handbook points out that a detainee can verbally refuse a medically screening to the nurse, in-person.

### **Lieutenant**

While discussing the purpose of this site visit, regarding a complaint, a question was posed about detainees bringing forth complaints about the jail. The Lieutenant stated the jail on an average receives forty complaints or grievances per year and five are usually regarding mental health issues. Per the Sheriff Training Manual, there are sixteen classification characteristics that assist in appropriate placement when the detainee arrives at the jail. The Lieutenant was able to provide specific insight on accommodations that are available for detainees who may have mental health and disability needs. Some of the known accommodations for detainees who may need them are accessible cells, showers, tables, and telephones. The Lieutenant stated in agreement that most detainees are housed in the general population unit, but individuals who are displaying or have been assessed with mental health needs are housed in separate unit, as

well as the aged and disabled population. According to the Lieutenant as of November 10, 2020, there were eight detainees on the mental health unit and there were none characterized as aged or disabled. Per the Lieutenant, when detainees need medical services and treatment (regardless of how the request is relayed to the jail personnel), those services and treatments are provided. The delivery of requested services has changed since the state is in a pandemic; an example is counseling services are offered by an outside mental health agency via tele psych instead of in-person weekly contact. Medical and dental services that are not deemed as an emergency are completed onsite for safety measures. Detainees who have been assessed needing in-depth psychiatric services at this time receive Zoom meetings in a private room where discussions of their emotional and medication needs occur with a psychiatrist.

## **Policy Review**

The policies provided by the DeKalb County Jail to the HRA were adopted from Title 20 of the Illinois Administrative Code, Section 701. The “**Access to Health Care**” policy stated purpose is “*that the provision of adequate health services in a custody setting is a constitutional right afforded to all inmates.*” This policy explains that regardless of a detainee’s setting that they will receive the appropriate medical, mental health and dental services as needed to ensure their well-being and health is maintained at a socially recognized standard. The policy also outlines the healthcare process: the initial intake, service requests and how to complete a healthcare grievance, if needed.

The “**Non-Emergency Health Care**” policy’s stated purpose is “*to establish a daily triage system of inmate requests for receiving health care services.*” The policy outlines the steps that are taken when any type of request is made for medical care (e.g. detainee, deputy initiated ) and scheduled appropriately.

The “**Referrals and Coordination of Specialty Care**” policy’s stated purpose is “*the establishment of a process for referring inmates who need healthcare or specialty care that is beyond the resources available in the facility.*” This policy discusses the issue of transportation, getting the detainee to an off-site facility or care that is provided by another entity ( psychiatric care for detainees).

The above-listed policies are outlined as well in the “Inmate Information, Rules & Regulations Booklet” to explain how the jail will respond to the needs of the detainees, which is very explicit on the detainees’ expectations and what the jail can provide.

## **Conclusion**

**Complaint:** Detainees are not afforded the right to receive adequate and humane care regarding their medical and mental health needs.

Per Title 20 of the Illinois Administrative Code 701.90-Medical and Mental Health Care “...an experienced medical authority will provide services which include but not limited to treatments, prescriptions of medication (common and psychotropic) and dietary guidance”. During the intake, the detainee completes a medical and suicide screening, which starts the process of gathering information that pertains to the health and mental well-being of the

individual. Based on the policies reviewed and the staff interviews, proper adequate and humane care is being provided and afforded to detainees while in the custody of the DeKalb County Jail. A rights violation is **not substantiated**, in reviewing the detainee manual, it states that a thorough medical exam will be completed within fourteen days of admission. When a detainee is sick, a request can be placed on the jail's sick log and if it is an emergency, medical personnel will be contacted as needed. Through staff interviews it was stressed, that whenever a detainee needs medical or behavioral services/treatment, there are various options to ensure the need is met (reporting to a deputy, deputy observed referral and reporting issue to a service provider). If a detainee believes that needs are not being met or conditions are inhumane, the jail provides a system in which a complaint or grievance can be made. Per Title 20 of the Illinois Administrative Code 701.160-Discipline "each detainee shall be permitted to make requests or complaints to the jail administration in written form, without censorship of substance". A detainee can request a grievance form from staff or via the kiosk and if not satisfied with the returned response of the grievance, can file an appeal. If the appeal is not resolved at the local level, detainees may submit an appeal finding to the Lieutenant for a final decision.

**The HRA would like to thank the administrators of the DeKalb County Jail for their cooperation with this investigation**

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## **RESPONSE**

**Notice: The following page(s) contain the provider response. Due to technical requirements, some provider responses appear verbatim in retyped format.**

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